IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CWP No.2666 of 2007
Date of Decision: 22.2.2007

Gurmukh Singh

Petitioner

versus

State of Punjab and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE M.M.AGGARWAL

Present: Shri H.S.Mann, Advocate for the petitioner

Jasbir Singh, J. (Oral)

In this writ petition, dispute pertains to the appointment of a Lamberdar in village Pir Sohana, Tehsil Kharar, District Ropar. Petitioner and respondent No.4 were the contending applicants for the said post. Collector, by taking note of the recommendations made by the Gram Panchayat and subordinate revenue officers, appointed respondent No.4 as Lamberdar of the village. The petitioner failed in appeal and revision. The Collector, while appointing respondent No.4 as a Lamberdar, has observed thus:-

> *"I have carefully heard the arguments of all the above candidates and carefully perused the record brought on the file. Shri Gurmukh Singh being hearing hard, cannot hear general public and Govt./ non-government persons. As such, he is not eligible person to be appointed as lambardar. So far as Shri Nachhattar Singh candidate is concerned, he is a retired official and is 62 years old due to which he is elder*

than Shri Mukhtiar Singh and owns less land, is not competent for the post. Shri Mukhtiar Singh is younger to Shri Nachhattar Singh in age and owns much land than that of other candidates. Besides this, all the three lower courts have recommended the name of Shri Mukhtiar Singh son of Shri Sher Singh to be appointed as lambardar. Therefore, I find Shri Mukhtiar Singh as the best and competent candidate. Therefore, Shri Mukhtiar Singh son of Shri Sher Singh is appointed as the new lambardar against new vacant post of village Pir Sohana."

We feel that the order passed is perfectly justified. As per established law, order of the Collector, in appointing Lamberdar, is to be respected, except when it is perverse in law. No such illegality has been indicated in the order passed, which may necessitate any interference by this Court.

Dismissed.

(Jasbir Singh)
Judge

February 22, 2007 **(M.M.Aggarwal)**
gk **Judge**